

JUDGE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RICHMOND SEQUOIA HOMEOWNERS
ASSOCIATION, a Washington Non-Profit
Corporation,

Plaintiff,

v.

STATE FARM FIRE AND CASUALTY
COMPANY, an Illinois Corporation; and
DOE INSURANCE COMPANIES 1–10,

Defendants.

NO. 2:20-cv-01858-RSL

STIPULATED MOTION AND
ORDER FOR CONSOLIDATION
OF RELATED ACTIONS UNDER
FED. R. CIV. P. 42(a)(2)

RICHMOND SEQUOIA HOMEOWNERS
ASSOCIATION, a Washington Non-Profit
Corporation,

Plaintiff,

v.

ALLSTATE INSURANCE COMPANY, an
Illinois Corporation; and DOE INSURANCE
COMPANIES 1–10,

Defendants.

NO. 2:21-cv-00468-RSL

I. STIPULATION

Plaintiff Richmond Sequoia Homeowners Association (“Association”) and Defendants State Farm Fire and Casualty Company (“State Farm”) and Allstate Insurance Company (“Allstate”) (collectively the “Defendants”) hereby stipulate as follows:

1. The actions *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL and *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL both involve claims for insurance coverage for alleged incremental and progressive hidden damage to the Richmond Sequoia Condominiums. The lawsuits identified above involve the Association as Plaintiff in both actions and the following insurance companies as Defendants in the respective actions: (1) State Farm; and (2) Allstate.

2. While the actions have different defendants, they share common issues of fact and law as to liability and damages. The actions also involve many of the same lay and expert witnesses, Association records, and other documentary evidence. Both actions are assigned to the same Judge, the Honorable Robert S. Lasnik. Consolidating the lawsuits for trial under Fed. R. Civ. P. 42(a)(2) will promote efficiency and conserve judicial resources.

3. Pursuant to LCR 42(a), the Association and both Defendants stipulate that the later filed lawsuit, *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL, shall be consolidated into the earlier filed lawsuit: *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL. The Association and Defendants agree that the caption for the earlier filed lawsuit, *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL, shall be amended to add Allstate.

4. *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL is currently set for a jury trial on May 2, 2022. *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL is currently set for a jury trial on September 12, 2022.

5. The parties agree and request that the case schedule for the later filed lawsuit, *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL, shall govern this consolidated lawsuit.

6. The Association and Defendants agree that: (1) the consolidated case will be ready for trial by September 12, 2022, or as soon thereafter as permitted by the Court's schedule; and (2) the estimated length of trial is seven to ten days.

7. The Association and Defendants have met and conferred regarding this Stipulation and Proposed Order, as called for in LCR 42(b).

DATED 10/29/2021

By /s/ Daniel J. Stein
Jerry Stein, WSBA #27721
Justin Sudweeks, WSBA #28755
Daniel Stein, WSBA #48739
Jessica R. Burns, WSBA #49852
Stein, Sudweeks & Stein, PLLC
2701 1st Avenue, Suite 430
Seattle, WA 98121
jstein@condodefects.com
justin@condodefects.com
dstein@condodefects.com
jessica@condodefects.com
Attorneys for Plaintiff Richmond Sequoia Homeowners Association

DATED 10/27/2021

By /s/ Richard G. Gawlowski
Alfred E. Donohue, WSBA #32774
Richard G. Gawlowski, WSBA #19713
Wilson Smith Cochran Dickerson

1 901 Fifth Avenue, Suite 1700
2 Seattle, WA 98164-2050
3 donohue@wscd.com
4 gawlowski@wscd.com
5 *Attorneys for Defendant Allstate Insurance*
6 *Company*

7 DATED 10/28/2021

8 By /s/ Daniel L. Syhre
9 Joseph D. Hampton, WSBA #15297
10 Daniel L. Syhre, WSBA #34158
11 Betts, Patterson & Mines P.S.
12 701 Pike Street, Suite 1400
13 Seattle, WA 98101
14 Phone: (206) 292-9988
15 jhampton@bpmlaw.com;
16 dsyhre@bpmlaw.com
17 *Attorneys for Defendant State Farm Fire and*
18 *Casualty Company*
19
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21
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23
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II. ORDER

Based on the foregoing Stipulation, it is hereby ORDERED:

1. That the later filed lawsuit, *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL, shall be consolidated into the earlier filed lawsuit *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL.

2. That the caption for the earlier filed lawsuit, *Richmond Sequoia Homeowners Association v. State Farm Fire and Casualty Company, et al.*, Western District of Washington Cause No. 2:20-cv-01858-RSL, shall be amended to add Allstate.

3. The parties agree that trial shall take place on September 12, 2022. The case schedule for the later filed lawsuit, *Richmond Sequoia Homeowners Association v. Allstate Insurance Company, et al.*, Western District of Washington Cause No. 2:21-cv-00468-RSL, shall govern the consolidated lawsuit, as set forth below.

JURY TRIAL DATE	September 12, 2022
Deadline for amending pleadings	March 16, 2022
Reports from expert witnesses under FRCP 26(a)(2) due	March 16, 2022
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) or LCR 37(a)(2)	
Discovery completed by	May 15, 2022
Settlement conference held no later than	May 29, 2022
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	June 14, 2022
All motions in limine must be filed by and noted on the motion calendar no later than the <u>second</u> Friday thereafter. Replies will be accepted.	August 15, 2022
Agreed pretrial order due	August 31, 2022
Pretrial conference to be scheduled by the Court.	

1 Trial briefs, proposed voir dire questions,
2 proposed jury instructions, and trial exhibits due

September 7, 2022

3 DONE IN OPEN COURT this 1st day of October, 2021.

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5 HONORABLE ROBERT S. LASNIK

6 Presented by:

7 By /s/ Daniel J. Stein

Jerry Stein, WSBA #27721

8 Justin Sudweeks, WSBA #28755

Daniel Stein, WSBA #48739

9 Jessica R. Burns, WSBA #49852

Stein, Sudweeks & Stein, PLLC

10 2701 1st Avenue, Suite 430

11 Seattle, WA 98121

jstein@condodefects.com

12 justin@condodefects.com

dstein@condodefects.com

13 jessica@condodefects.com

14 *Attorneys for Plaintiff Richmond Sequoia*

Homeowners Association

15
16 By /s/ Richard G. Gawlowski

Alfred E. Donohue, WSBA #32774

17 Richard G. Gawlowski, WSBA #19713

18 Wilson Smith Cochran Dickerson

901 Fifth Avenue, Suite 1700

19 Seattle, WA 98164-2050

donohue@wscd.com

20 gawlowski@wscd.com

21 *Attorneys for Defendant Allstate Insurance Company*

22 By /s/ Daniel L. Syhre

23 Joseph D. Hampton, WSBA #15297

Daniel L. Syhre, WSBA #34158

24 Betts, Patterson & Mines P.S.

701 Pike Street, Suite 1400

25 Seattle, WA 98101

26 jhampton@bpmlaw.com;

dsyhre@bpmlaw.com

*Attorneys for Defendant State Farm Fire and
Casualty Company*